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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/627,720	07/28/2003	Huo-Lu Tsai	018150.0280	7092

24735 7590 11/16/2005

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EXAMINER

PHAM, TAMMY T

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/627,720	Applicant(s) TSAI, HUO-LU	
	Examiner Tammy Pham	Art Unit 2675	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. (US Patent No: 6,211,878 B1) in view of Ikeda (US Patent No: 4,827,731).

As for claim 1, Cheng teaches of a handheld remote instruction device for a computer-based visual presentation system, comprising: a housing in column 5, lines 21-31.

Cheng goes on to teach of a light emitting module mounted on said housing and including a light emitting element and a control switch for controlling light emitting activity of said light emitting element in column 7, lines 62-2.

Cheng goes on to teach of a keypad disposed on said housing and including a set of keys, said keys including a cursor control key, a first function key, a second function key, and a mode switching key; a control unit mounted in said housing and connected to said light emitting module and said keypad in column 7, lines 30-40.

Cheng goes on to teach of a wireless signal transmitter mounted in said housing and connected to said control unit, said control unit enabling said wireless signal transmitter to transmit a corresponding control signal in response to pressing of one of said keys of said keypad; and a wireless signal receiver adapted to be connected to the visual presentation system

and operable so as to receive the control signal transmitted by said wireless signal transmitter and so as to provide the control signal to the visual presentation system in column 5, lines 32-35.

Cheng teaches of a click/select command, menu/alternate select command and page up/down for visual presentations systems in column 7, lines 30-40.

But Cheng does not specify that there are two distinct mode switching keys that in turn create four separate signals representing the click/select, menu/alternate select and page up/down commands.

Ikeda teaches of a mode switching key is operable so as to control operation of said control unit in a selected one of first and second key defining modes in order to have four control signals in column 2, lines 43-45. Although Ikeda does not specify the exact steps of creating four signals from various combinations of two buttons, it would be inherent for one in the art to include the steps where a first control signal when said first function key is pressed while said control unit is operated in the first key defining mode, to transmit a second control signal when said second function key is pressed while said control unit is operated in the first key defining mode, to transmit a third control signal when said first function key is pressed while said control unit is operated in the second key defining mode, and to transmit a fourth control signal when said second function key is pressed while said control unit is operated in the second key defining mode. For example if you have two switches called A and B, the four combinations or potential signals that you can send out are: AA, BB, AB and BA.

It would have been obvious to one with ordinary skills in the art at the time the invention was made to include the creation of four signals from two switches as taught by Ikeda with the buttons on the remote controller as taught by Cheng in order to provide a logic control means

which outputs a selected signal in accordance with an input signal from various switches (see Ikeda: column 1, lines 45-50).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammy Pham whose telephone number is (571) 272-7773. The examiner can normally be reached on 8:00-5:30 (Mon-Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on (571) 272-3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

P

Tammy Pham
11/06/2005

Sumati Lefkowitz
SUMATI LEFKOWITZ
SUPERVISORY PATENT EXAMINER